

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DWAYNE LAMONT BURGESS,

Petitioner,

v.

PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

No. 2:22-CV-0573-JAM-DMC-P

ORDER

Petitioner, a state prisoner proceeding pro se, has initiated this action with what he captions a “Motion for Relief from Judgement” under Federal Rule of Civil Procedure “60(a)(b).” The matter has been opened on the Court’s docket as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the Court is Petitioner’s motion for leave to proceed in forma pauperis, ECF No. 7. Petitioner has submitted the affidavit required by 28 U.S.C. § 1915(a) showing that Petitioner is unable to prepay fees and costs or give security therefor.

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1 Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for leave to
2 proceed in forma pauperis, ECF No. 7, is granted.

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4 Dated: June 14, 2022

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE